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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/956,910	09/21/2001	Stephan Hartwig	1123.40699X00	2649

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EXAMINER

SHANG, ANNAN Q

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/956,910	Applicant(s) HARTWIG ET AL.	
	Examiner Annan Q. Shang	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-91 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-91 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>09/02</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 10-17, 22-25, 29-32, 37-40, 45-49, 54-59, 64-70, 75-82, and 87-91 are rejected under 35 U.S.C. 102(e) as being anticipated by **Ellis et al (2005/0028208)**.

As to claims 1-4, note the **Ellis** reference figures 1-2a-d, discloses interactive television program guide (ITV-PG) with remote access and further discloses method to inhibit functions of a device (ITV-PG Equipment 'ITV-PGE' 17 or User-TVE-22, page 4, [0067-0068]) by using a mobile remote control means (Remote Program Guide Device 'R-PGD' 24, page 7, [0092-0094]) both comprise a wireless interface (Communications Device 'CD' 27 'fig.2b and CD-58, 'fig.5,' page 5, [0076-0077]), the device (ITV-PGE/User-TVE-17/22) having a plurality of functions which are controlled by a controller (ITV-PGE/User-TVE-17/22 Processor), characterized by:

Authenticating of the mobile remote control means (ITV-PGE/User-TVE-17/22 Processor, upon receiving PIN, password, etc., of the user (e.g. a parent) R-PGD-24 authenticates R-PGD-24, page 8, [0099], [0120-0121]);

Transmitting of inhibit rule data (PG-parental control settings) from the mobile control means "a client" (R-PGD-24) to device "a content server" (ITV-PGE/User-TVE-17/22, page 8, [0099-0102]) via wireless interfaces (CDs 27/58);

Inhibiting certain functions of the device according to the transmitted inhibit rule data so that the functions are no longer operable by the controller (ITV-PGE/User-TVE-17/22 Processor, page 8, [0099-0102], [0103], [0107]), note that a user of R-PGD-24 at any location, e.g. at work, establishes secured communication link (via wireless or wire-line communication medium 19) and sends PG-parental control settings to the user's home equipment to perform various parental control functions, such as adjusting settings, e.g., blocking programs, access time, PPV information (price, ordering, time, event code, etc.), etc., using predetermined number of accesses, a predetermined identification/classification code (page 9, [0107-0111], [0122-0126]), where based on these functions the ITV-PGE/User-TVE-17/22 Processor executes a software program to disables/enables functions to allow the child to watch only programs based on the parental control settings.

As to claim 5, Ellis further discloses where the content server uses HTML, XHTML, XML or WML (page 7, [0094-0095] and [0105]).

Claim 8 is met as previously discussed with respect to claims 1-4.

Claim 10 is met as previously discussed with respect to claims 1-4.

Claims 11-16 are met as previously discussed with respect to claims 1-4.

Claim 17 is met as previously discussed with respect to claims 5.

Claims 22-45 are met as previously discussed with respect to claims 1-4.

Claims 46-55 are met as previously discussed with respect to claims 1-4.

Claims 56-66 are met as previously discussed with respect to claims 1-4.

Claims 67-78 are met as previously discussed with respect to claims 1-4.

Claims 79-71 are met as previously discussed with respect to claims 1-4.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 18-21, 26-28, 33-36, 41-44, 50-53, 60-63 71-74 and 83-86 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ellis et al (2005/0028208)** as applied to claims 1, 2, 3, 4 and 5 above, and in view of **Itabashi et al (6,824,048)**.

As to claims 6, 18-21, 26-28, 33-36, 41-44, 50-53, 60-63 71-74 and 83-86, various claims involves where the wireless interface is Bluetooth interface, although Ellis teaches a wireless interface for communication, Ellis is silent to the use of Bluetooth interface for communication

However, in the same field of endeavor, **Itabashi** teaches an information transmission system and method and uses a Bluetooth interface to communicated

individual identification information between a user portable device and a communication device (figs.1-5 and col.3, line 63-col.4, line 54, col.5, line 34-col.6, line 12 and col.7, line 4-col.8, line 28).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of **Itabashi** into the system of Ellis to provide unlimited directivity in transmitting and receiving data and sounds between a transmitting side and a receiving side.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Amit (6,941,576) discloses system and methods for home network communications.

Uchida et al (6,930,661) disclose bi-directional communication system, display apparatus, base apparatus and communication method.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone

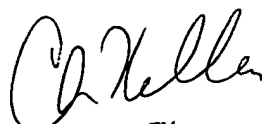
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number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**.



Annan Q. Shang.



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